



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,823	12/09/2003	Miguel A. Estrada	LOT920030075US1 (029)	4386
46321 7590 05/02/2008 CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 950 PENINSULA CORPORATE CIRCLE SUITE 3020 BOCA RATON, FL 33487				
EXAMINER				
OUELLETTE, JONATHAN P				
ART UNIT		PAPER NUMBER		
3629				
MAIL DATE		DELIVERY MODE		
05/02/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/731,823

Applicant(s)

ESTRADA ET AL.

Examiner

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hatscher et al. (US 2004/0122693 A1)**
3. As per **independent Claims 1, 8, and 15**, Hatscher discloses a method for managing membership in a collaborative computing environment community (Abstract), the method comprising: receiving identification of a selected group of end user persons to invite to join the collaborative computing community; evaluating the selected group to identify one or more invitees there from (Fig.7A-7H, Para 0033, Para 0050-0052, People Finder); inviting the one or more identified invitees (Fig.7A-7H, Para 0053, invitation); and receiving an indication from one or more invitees that the invitee wishes to join the community (Claim 13 and 14).
4. As per Claims 2, 9, and 16, Hatscher discloses wherein evaluating the selected group includes determining whether any members of the selected group are already members of

the community, the identified invitees being members of the selected group who are not already members of the community.

5. As per Claims 3, 10, and 17, Hatscher discloses wherein evaluating the selected group includes determining whether any members of the selected group are excluded from the community, the one or more identified invitees being members of the selected group who are not excluded from the community.
6. As per Claims 4, 11, and 18 Hatscher discloses performing access control processing to determine whether an invitee who has accepted the invitation to join the community is authorized to join the community.
7. As per Claims 5, 12, and 19, Hatscher discloses removing a group from the community, wherein members of the community who are members of the removed group are not removed as members of the community.
8. As per Claims 6 and 13, Hatscher discloses wherein inviting one or more identified invitees includes sending an electronic mail message to each of the identified invitees, the electronic mail message including a hyperlink, which can be selected to indicate a desire to join the community.
9. As per Claims 7 and 14, Hatscher discloses wherein evaluating the selected group includes determining whether any members of the selected group are excluded from the community, the one or more identified invitees being members of the selected group who are not excluded from the community.
10. As per Claim 20, Hatscher discloses wherein the system further comprises one or more second workstations in data communication with the collaborative computing server via

the network, and wherein inviting one or more identified invitees includes sending an electronic mail message to the second workstation corresponding to each of the identified invitees, the electronic mail message including a hyperlink, which can be selected to indicate a desire to join the community.

Response to Arguments

11. Applicant's arguments filed on 2/1/2008, with respect to Claims 1-20, have been considered but are not persuasive. The rejection will remain as FINAL, based on the cited prior art.
12. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
13. The Applicant has made the argument that the cited prior art fails to teach or suggest receiving an indication from one or more invitees that the invitee wishes to join the community.
14. However, Hatscher does disclose notifying people about the community and receiving an updated list of members indicating potential new members to the community (Claim 13

and 14); wherein, a new user joining the membership of a community would be an indication that the invitee wishes to join the community (changing the member listing – and causing an updated list to be forwarded).

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
17. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

May 1, 2008

/Jonathan Ouellette/

Primary Examiner, Art Unit 3629